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EXAMINER

PASIEWICZ, DANIEL M

ART UNIT

PAPER NUMBER

2612

DATE MAILED: 08/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/918,287

**Applicant(s)**

NOVAIS ET AL.

**Examiner**

Daniel M. Pasiewicz

**Art Unit**

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 October 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>                    </u> | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: 26 in Fig. 2A. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Specification***

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.
3. The following title is suggested: A System and Process for Offering Imaging Services of a Customer and Participates at a Live Entertainment Event.

### ***Claim Objections***

4. Claim 1 is objected to because of the following informalities:

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5. Claim 1 uses inconsistent claim language in the preamble to the claim and within the claim itself.

- Claim 1 states in line 1 of the claim "a process" while claims 2-7 state in line 1 of the claims "a method". Please make the language of the preamble consistent.
- Claim 1 states in line three of the claim "offering at least one imaging service to a customer" and in line six of the claim "recording an imaging service selected by the customer". Offering the service does not indicate selection of the service, the examiner suggests adding "for selection" after "to a customer" in the third line of the claim.

6. Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1-7 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S.

Patent 6,608,563 to Weston et al.

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9. With respect to claim 1 Weston discloses, in Fig. 1, 2, 3A, 3B and 4, a process of offering imaging services to a customer, the process comprising: offering at least one imaging service to a customer for selection (column 4 lines 1-5 and lines 14-20; where the imaging service is providing the photo/video album or the comic book) prior to the customer's attendance at an entertainment event or while the customer is at the entertainment event (column 4 lines 56-59; Fig. 1 shows the special kiosk 130 at the entertainment event, the entertainment event being the park or entertainment facility, so Weston discloses the imaging service is provided while the customer is at the entertainment event); recording an imaging service selected by the customer (column 4 lines 63-66) and assigning an identification code to the customer selection (column 3 lines 40-44 and column 4 line 65 through column 5 line 5; where the identification code is the unique person or group identification number contained in the RFID tag, UPIN or UGIN), said identification code including at least information on the selected imaging service and information on a seating location of the customer at the entertainment event (see following paragraph); and supplying images to the customer based on the selected imaging service (column 6 lines 48-54), said images including images of participants in the entertainment event and images of at least the customer while viewing the entertainment event (column 6 lines 38-54).

10. Since the entertainment event is the park the claim is written broadly enough that the customer at the park can be considered both the customer and the participant in the entertainment event. Therefore Weston discloses images of participants in the entertainment event and images of at least the customer while viewing the

entertainment event since the customer would be the participant in the entertainment event when playing in, on or around the facility (column 4 lines 20-23). Also, since the identification code is used to index the photos of the customer for creation of the photo album or interactive comic book (column 3 lines 58-62, column 4 lines 41-44, column 5 lines 19-24 and column 7 line 58 through column 8 line 3) the identification code can be viewed as containing information of the selected imaging service and the seating location of the customer. The seating location of the customer corresponding to the customer's location within the park.

11. With respect to claim 2 Weston discloses, in Fig. 2 and 4, a method according to claim 1, wherein said step of supplying images to the customer includes the steps of: setting up remotely controlled cameras (210) throughout a venue at which the entertainment event is to take place (Fig. 2 and column 5 lines 5 lines 30-36); and using the cameras to take photographs of the event as it occurs and photographs of participants in the event as it occurs based on the selected imaging service (column 5 lines 30-36; where the participants are the customer and other guests of the park).

12. With respect to claim 3 Weston discloses, in Fig. 2 and 4, a method according to claim 2, wherein said step of supplying images to the customer further includes the step of: using the cameras to take photographs of the customer at his/her seating location while viewing the event based on the seating location information (column 5 lines 30-36 and column 6 lines 18-24; since the seating location of the customer corresponds to the

location of the ride/event in which the customer is participating the customer's image is taken at the seating location and are indexed by their seating location).

13. With respect to claim 4 Weston discloses, in Fig. 1 and 2, a method according to claim 1, wherein said information on the selected imaging service includes information reflective of a customer preference with regard to the participants at the entertainment event (column 4 lines 59-62 and column 6 lines 24-28; by choosing the desired comic book version and defining the individuals in the group identifier number the customer gives preference to the participants in the entertainment event).

14. With respect to claim 5 Weston discloses, in Fig. 1 and 2, a method according to claim 3, wherein said photographs are taken at an appropriate moment of capture which is reflective of a period of high volume and/or excitement during the entertainment event (column 5 lines 40 through column 6 lines 24; not knowing the way the photos correspond to the selected comic book offer a period of excitement as well as the interaction with the scene of the photo, such as receiving the surprise squirt of (11); and making the acquiring of the photos a scavenger hunt gives the image service an other period of high excitement).

15. With respect to claim 6 Weston discloses, in Fig. 1 and 2, a method according to claim 1, wherein said seating location of the customer at the entertainment event is determined by scanning a ticket (column 6 lines 18-24; the ticket corresponds to the tag

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containing the UPIN since it provides information as to the location of the customer when the image is recorded).

16. With respect to claim 7 Weston discloses, in Fig. 1 and 2, a method according to claim 1, wherein said selections of images of the entertainment event are made by the customer at a location remote from the site of the entertainment event (column 6 lines 61-67).

***Claim Rejections - 35 USC § 103***

17. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

18. Claims 8-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,469,536 to Blank in view of U.S. Patent 6,532,345 to Gluck.

19. With respect to claim 8 Blank discloses (in Fig. 1, 18, 19a-d and column 28 line 1 through column 32 line 60) an image service kiosk which provides the customer with a displayed menu of imaging services; through a customer input section customers select services from the menu; the selected services are then used to create images containing the customer. More specifically, Blank discloses a imaging services kiosk (Fig. 1 and 900 of Fig. 18) comprising: an imaging services display section (908)



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(column 28 lines 61-62) adapted to display a menu (column 31 lines 28-37) of imaging services to a customer (column 28 lines 18-43; where the imaging services provided to the customer are through the editing and manipulation program which moves enlarges, rotates, and enhances the images by selection of tools, painting tools, and special effects available in the imaging system 900), and a customer input section (922 and 924) adapted to permit a customer to select an imaging service from the menu of imaging services (column 31 lines 28-31), such that said selected imaging services comprises creating images for the customer (column 32 lines 16-21) which includes at least one image of the customer (column 10 lines 40-54). Therefore, Blank teaches an imaging services kiosk which comprises a display section adapted for displaying a menu, an input section which allows the customer to select imaging services from the menu, the imaging services comprising creating at least one image of the customer.

20. Blank also discloses (column 8 lines 45-52) that the imaging system disclosed can be used in virtually an application where it is desirable to separate an object from a background in a digital image, and then combine the object with a different background to form a composite image. Blank does not expressly disclose that seating information representative of a seating location of the customer at an entertainment event may be entered through the input section, or that the image services comprise at least one image of the participant at the entertainment event and at least one image of the customer while viewing the entertainment event.

21. In analogous art, Gluck discloses an imaging system and method at an entertainment event which provides customers with an imaging service; the imaging

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service comprises a composite photo containing images of the participants at the entertainment event and at least one image of the customer while viewing the entertainment event. More specifically, Gluck discloses, in Fig 1, 4 and 6, an imaging service (column 3 lines 61-67; where the imaging service is providing the customer personalized souvenirs) at an entertainment event (Fig. 1; a basketball game); the imaging service being provided by a kiosk (column 6 line 62 through column 7 line 1; where the kiosk is the video unit or the walk-up window); selecting a imaging service using an input section (means of inputting the simple commands in video unit or the interaction with operator of walk-up window) by entering seating information representative of a seating location of the customer at an entertainment event (column 7 lines 2-9; where the customer's personalized souvenir is created based upon the seating number provided by the customer); and the customers imaging services (personalized souvenirs) comprise at least one image of the participants (column 4 lines 4-11 and column 3 lines 61-67) and at least one image of the customer while viewing the entertainment event (column 4 lines 51-57 and column 3 lines 61-67) (column 6 lines 26-39; where the spectator photo is of the customer). Therefore, Gluck teaches a imaging services kiosk at an entertainment event comprising imaging services to a customer and a customer input section for entering seating information representative of a seating location of the customer at an entertainment event, and creating for the customer images including at least one image of participants at the entertainment event and at least one image of the customer while viewing the entertainment event.

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22. As stated in Gluck (column 1 lines 36-40 and column 2 lines 14-18) at the time the invention was made it would have been obvious to one of ordinary skill in the art to include the imaging services at an entertainment event taught by Gluck in the imaging services kiosk disclosed by Blank, for doing so would allow customers attending live events a means to positively indicate they attended the live event through a truly personalized souvenir which is provided to a large number of customers quickly and easily while the customers attend the live event.

23. With respect to claim 10 Blank discloses (in Fig. 1, 18, 19a-d and column 28 line 1 through column 32 line 60) an image service kiosk comprising: an imaging service display section which provides the customer with a displayed menu of imaging services; through a customer input section customers select services from the menu; the selected services are then used to create images containing the customer. More specifically, Blank discloses a imaging services kiosk (Fig. 1 and 900 of Fig. 18) comprising: an imaging services display section (908) (column 28 lines 61-62) adapted to display a menu (column 31 lines 28-37) of imaging services to a customer (column 28 lines 18-43; where the imaging services provided to the customer are through the editing and manipulation program which moves enlarges, rotates, and enhances the images by selection of tools, painting tools, and special effects available in the imaging system 900), discloses an image capture device (106, 914) (column 10 lines 40-45 and column 32 lines 16-21) which is adapted to capture an image of the customer (column 10 lines 46-53); and a customer input section (922 and 924) adapted to permit the customer to

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select an imaging service from the menu of imaging services (column 31 lines 28-31), such that said selected imaging service comprises creating a composite image (column 14 lines 16-19) which includes the customer image captured by the image capture device (column 10 lines 40-53 and column 13 lines 53-66; such that the composite image comprises at least one image of the customer, that of the customer's head and neck). Therefore, Blank teaches an imaging service kiosk comprising: an imaging services display section adapted to display a menu of imaging services to a customer; an image capture device which is adapted to capture an image of the customer; and a customer input section adapted to permit the customer to select an imaging service from the menu of imaging services, such that said selected imaging service comprises creating a composite image which includes the customer image captured by the image capture device.

24. Blank also discloses (column 8 lines 45-52) that the imaging system disclosed can be used in virtually an application where it is desirable to separate an object from a background in a digital image, and then combine the object with a different background to form a composite image. Blank does not expressly disclose that the composite image includes at least one image of the entertainment event and/or at least one image of participants at the entertainment event combined with the customer images.

25. In analogous art, Gluck discloses an imaging system and method at an entertainment event which provides customers with an imaging service; the imaging service comprises a composite photo containing images of the participants at the entertainment event and images of the customer while viewing the entertainment event.

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More specifically, Gluck discloses, in Fig 1, 4 and 6, an imaging service (column 3 lines 61-67; where the imaging service is providing the customer personalized souvenirs) at an entertainment event (Fig. 1; a basketball game); the imaging service being provided by a kiosk (column 6 line 62 through column 7 line 1; where the kiosk is the video unit or the walk-up window); and the customers imaging services (personalized souvenirs) comprise a composite image (column 6 lines 17-23) comprising at least one image of the entertainment event and/or the participants (column 4 lines 4-11 and column 3 lines 61-67) combined with the customer image captured by the image capture device (8) (column 2 lines 50-55 and column 4 lines 51-57) (column 3 lines 61-67; images taken by step 400a [the participant images] and images taken by step 400c [the customer images] are combined in step 440 to one composite image). Therefore, Gluck teaches an imaging services kiosk comprising: an imaging services, said imaging services being associated with an entertainment event which is attended y the customer; an image capture device which is adapted to capture am image of the customer; and a customer input section adapted to permit the customer to select an imaging service, such that said selected imaging service comprises creating a composite image which includes at least one image of the entertainment event and/or at least one image of participants at the entertainment event combined with the customer image captured by the image capture device.

26. As stated in Gluck (column 1 lines 36-40 and column 2 lines 14-18) at the time the invention was made it would have been obvious to one of ordinary skill in the art to include the imaging services at an entertainment event taught by Gluck in the imaging

services provided by the kiosk disclosed by Blank, for doing so would allow customers attending live events a means to positively indicate they attended the live event through a truly personalized souvenir which is provided to a large number of customers quickly and easily while the customers attend the live event.

27. With respect to claim 12 Blank discloses (in Fig. 1, 18, 19a-d and column 28 line 1 through column 32 line 60) an image service kiosk comprising: an imaging service display section which provides the customer with a displayed menu of imaging services; through a customer input section customers select services from the menu; the selected services are then used to create images containing the customer. More specifically, Blank discloses a imaging services kiosk (Fig. 1 and 900 of Fig. 18) comprising: an imaging services display section (908) (column 28 lines 61-62) adapted to display a menu (column 31 lines 28-37) of imaging services to a customer (column 28 lines 18-43; where the imaging services provided to the customer are through the editing and manipulation program which moves enlarges, rotates, and enhances the images by selection of tools, painting tools, and special effects available in the imaging system 900),discloses an image capture device (106, 914) (column 10 lines 40-45 and column 32 lines 16-21) which is adapted to capture an image of the customer (column 10 lines 46-53); an input port (920, 918 and/or 916) to permit an uploading of customer images into said kiosk (column 29 lines 10-21; where uploading is capturing video images); and a customer input section (922 and 924) adapted to permit the customer to select an imaging service from the menu of imaging services (column 31 lines 28-31), such that

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said selected imaging service comprises creating a composite image (column 14 lines 16-19) which includes the customer image captured by the image capture device (column 10 lines 40-53 and column 13 lines 53-66; such that the composite image comprises at least one image of the customer, that of the customer's head and neck). Therefore, Blank teaches an imaging service kiosk comprising: an imaging services display section adapted to display a menu of imaging services to a customer; an image capture device which is adapted to capture an image of the customer; an input port to permit an uploading of customer images into said kiosk; and a customer input section adapted to permit the customer to select an imaging service from the menu of imaging services, such that said selected imaging service comprises creating a composite image which includes the customer image captured by the image capture device.

28. Blank also discloses (column 8 lines 45-52) that the imaging system disclosed can be used in virtually an application where it is desirable to separate an object from a background in a digital image, and then combine the object with a different background to form a composite image. Blank does not expressly disclose that the composite image includes at least one image of the entertainment event and/or at least one image of participants at the entertainment event combined with the customer images.

29. In analogous art, Gluck discloses an imaging system and method at an entertainment event which provides customers with an imaging service; the imaging service comprises a composite photo containing images of the participants at the entertainment event and images of the customer while viewing the entertainment event. More specifically, Gluck discloses, in Fig 1, 4 and 6, an imaging service (column 3 lines

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61-67; where the imaging service is providing the customer personalized souvenirs) at an entertainment event (Fig. 1; a basketball game); the imaging service being provided by a kiosk (column 6 line 62 through column 7 line 1; where the kiosk is the video unit or the walk-up window); and the customers imaging services (personalized souvenirs) comprise a composite image (column 6 lines 17-23) comprising at least one image of the entertainment event and/or the participants (column 4 lines 4-11 and column 3 lines 61-67) combined with the customer image captured by the image capture device (8) (column 2 lines 50-55 and column 4 lines 51-57) (column 3 lines 61-67; images taken by step 400a [the participant images] and images taken by step 400c [the customer images] are combined in step 440 to one composite image). Therefore, Gluck teaches an imaging services kiosk comprising: an imaging services, said imaging services being associated with an entertainment event which is attended y the customer; an image capture device which is adapted to capture am image of the customer; and a customer input section adapted to permit the customer to select an imaging service, such that said selected imaging service comprises creating a composite image which includes at least one image of the entertainment event and/or at least one image of participants at the entertainment event combined with the customer image captured by the image capture device.

30. As stated in Gluck (column 1 lines 36-40 and column 2 lines 14-18) at the time the invention was made it would have been obvious to one of ordinary skill in the art to include the imaging services at an entertainment event taught by Gluck in the imaging services provided by the kiosk disclosed by Blank, for doing so would allow customers



attending live events a means to positively indicate they attended the live event through a truly personalized souvenir which is provided to a large number of customers quickly and easily while the customers attend the live event.

31. With respect to claims 9, 11 and 13 Gluck further discloses, in Fig. 6, an easel frame with cutout windows 30, 32, and 34 for various images corresponding to the image-editing software templates of an event ticket 36, spectator photo 38, and an action photo 40 respectively (column 6 lines 26-34); the customer gives preference to a participant of the event by displaying a photo of himself/herself (38) with a photo of a selected participant, the selected participant photo being the action photo (40).

Therefore, Blank in view of Gluck reads on the claim: the customer input section is further adapted to permit the customer to input preferences with regard to the participants at the entertainment event.

32. With respect to claim 14 Gluck further discloses selecting images of the participants in the entertainment event (column 6 lines 17-20 and lines 26-34; where the computer prepares the final personalized souvenir by selecting desired images, which includes action photos (40) which are images of participants in the entertainment event). Therefore, Blank in view of Gluck teaches said customer input section is further adapted to permit the customer to select images of the participants in the entertainment event.

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33. With respect to claim 15 Blank further discloses images are selected by the user (column 10 line 63 through column 11 lines 1) and, in Fig 4h, that the customer can replace a participate in an image with the customers image, thus placing himself in an image of an event (column 11 lines 4-13, lines 48-52 and column 13 lines 8-15; where the final composite image contains the customers head and neck on the body of a selected person in the image of an event). Therefore, Blank in view of Gluck teaches said customer input section is further adapted to permit the customer to select images of himself in the entertainment event.

34. With respect to claim 16 Blank discloses a method of displaying images (column 10 line 63 through column 11 line 1) and offering imaging services to a customer (column 9 lines 13-16; where the imaging service is creating the sheet 120 containing the image of the person), the method comprising: displaying images (column 10 line 63 through column 11 line 1) to a customer on an interactive display screen (column 9 lines 34-38), and offering an interactive selection session (column 9 lines 36-38) to the customer to permit the customer to select a desired image or images from the displayed images (column 10 line 63 though column 11 line 19) and select a desired image product representative of the desired image or images (column 9 lines 12-15 and column 51 lines 38-45; where the desired image product is selected by the choices of customer images, background images, and person to replace within the background during the process of creating the sheet containing the image of the person).

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35. Blank also discloses (column 8 lines 45-52) that the imaging system disclosed can be used in virtually an application where it is desirable to separate an object from a background in a digital image, and then combine the object with a different background to form a composite image. Blank does not expressly disclose that the imaging service is at an entertainment event, that the interactive display is in proximity to a seating location of the customer; that the displayed images comprise at least one image of participants in the entertainment event; or that the images of the customer are while viewing the entertainment event.

36. In analogous art, Gluck discloses offering imaging services to a customer while at an entertainment event, the images being displayed in proximity to a seating location of the customer, and the customer selecting a desired image product. More specifically, Gluck discloses offering imaging services to a customer (column 3 lines 61-67; where the imaging service is providing the customer personalized souvenirs) while at an entertainment event (Fig. 1; a basketball game), comprising: displaying images to a customer at an entertainment event in proximity to a seating location of the customer (column 6 line 52 through column 7 line 1; where the location within the venue is in proximity to the customers seating location, the customer may view there personalized souvenir, which contains the selected images (column 6 lines 17-23), at the seat when received from the vendor, at the video unit throughout the venue, or at the walk-up window within the venue), said displayed images comprising at least one of images of participants in the entertainment event (40) (column 4 lines 4-11 and column 6 lines 26-34) and images of the customer while viewing the entertainment event (38) (column 4

lines 51-53 and column 6 lines 26-47); and selecting a desired image product representative of the desired image or images (column 6 line 52 through column 7 line 1; the desired image product is selected when the customer chooses to obtain the personalized souvenir from the vendor, video unit, or walk-up window). Therefore, Gluck teaches offering imaging services to a customer while at an entertainment event, comprising: displaying images to a customer at an entertainment event in proximity to a seating location of the customer, said displayed images comprising at least one of images of participants in the entertainment event and images of the customer while viewing the entertainment event; and selecting a desired image product representative of the desired image or images

37. As stated in Gluck (column 1 lines 36-40 and column 2 lines 14-18) at the time the invention was made it would have been obvious to one of ordinary skill in the art to include the imaging services in proximity to the customer's seating location at an entertainment event taught by Gluck in the imaging services provided by the interact display disclosed by Blank, for doing so would allow customers attending live events a means to positively indicate they attended the live event through a truly personalized souvenir which is provided to a large number of customers quickly and easily while the customers attend the live event.

### ***Conclusion***

38. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

39. U.S. Patent 5,694,514 to Evan et al. Evans discloses a imaging service at an amusement park, guests are issued identification tags prior to entering the park or at the park, images of the customer/participant are recording based on the customers selected imaging service.

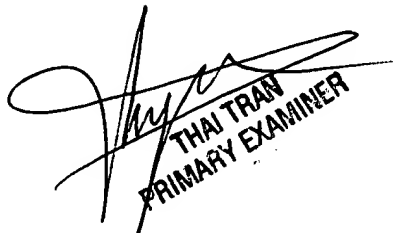
40. U.S. Patent 5,587,740 to Brennan. Brennan discloses a digital photo kiosk, which allows customers to select imaging services related to creating postcards of the customer at a location with a scenic view.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel M. Pasiewicz whose telephone number is (571)272-5516. The examiner can normally be reached on M-F 8:30AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, <sup>Thai Tran</sup>~~Wendy Garber~~ can be reached on (571)272-<sup>7382</sup>~~7306~~. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DMP

  
THAI TRAN  
PRIMARY EXAMINER